

Intervention in Cuban Affairs

Speech of
Hon Donelson Caffery

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INTERVENTION IN CUBAN AFFAIRS.

SPEECH

OF

HON. DONELSON CAFFERY,
OF LOUISIANA,

IN THE

SENATE OF THE UNITED STATES,

5357

SATURDAY, APRIL 16, 1893.

WASHINGTON.
1893.



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Mr. W. A. Smith

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SPEECH
OF
HON. DONELSON CAFFERY.

The Senate having under consideration the joint resolution (S. R. 149) for the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the Island of Cuba, and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect—

Mr. CAFFERY said:

Mr. PRESIDENT: Differing so radically with the majority of my colleagues on this side of the Chamber as to the questions involved in the pending resolution and amendments, I approach their discussion with a full sense of the fallibility of my own judgment and with deference to the contrary views of my colleagues. I have tried to view this question in every light that I could, so as to ascertain what position the United States could take that would be sustained by international law while being just and beneficial to both sides of the contestants now carrying on hostilities in the Island of Cuba. If my conclusions are wrong, it is my misfortune, not my fault.

Mr. President, I have stood once before on the brink of war. Though quite young, I counseled moderation and delay. I counseled due consideration of the disastrous consequences that might flow from war precipitately waged. My counsels were swept to the winds, and I was swept along with the balance of my people into the most colossal war that was ever waged between civilized nations. Sir, the hostile sections that engaged in that dreadful conflict were each a unit. It was North against South. If we, unhappily, must go to war with Spain, it will be waged on our part by a solid Union. There will be no North nor South nor East nor West. It will be the war of a great Republic with one of the oldest States of Christendom.

But, Mr. President, in emergencies of this sort, where popular passions become aroused, the motives of men not in entire accord with the enthusiastic populace seem to be questioned. Whoever dares to utter an opinion or give expression to a thought not in line with the prevailing current of popular opinion is gibbeted by a libelous press. I will send up to the desk and have read a clipping from the Washington Times of to-day's issue in regard to myself.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[From the Washington Times, April 16.]

A MARKED MAN.

The country has marked with surprise and indignation the extraordinary course pursued in the Senate for the last two days by a Southern Senator who appears anxious to constitute himself the head center of a small but

Ans. J. 24 Feb. 12

compact body of persons whose effort is to help Spain as much as possible in the present crisis.

The underlying motive of such a service is somewhat problematical. It may be a desire to earn glory or it might be a political sin with a name not to be mentioned except upon the most damning evidence of its existence. But, be that as it may, the Senator in question needs careful watching. His gyrations yesterday suggest the propriety of observation if not of investigation. His former association with an institution of charity and learning known as the Louisiana State Lottery Company renders him all the more worthy to have the critical eyes of his colleagues and of all American patriots firmly fixed upon him.

Mr. CAFFERY. It is rarely that I ever notice newspaper articles, nor would I have seen this one but for the fact that a friend has just sent it in to me. There is nothing in the article about which I care to make any statement except the charge that I was ever an agent of the Louisiana State Lottery Company. The grotesqueness of the lie is the only thing that commends itself to my especial notice, for, Mr. President, if there is anything in my life for which I take pride it is in the efforts which I made to help break down the infamous institution of the Louisiana State Lottery Company.

I say this editorial applies to me, though I am not named, because I am the only Senator from Louisiana who took any part in the debate on the Cuban question during the last two days.

I point to the balance of that editorial as a commentary on the times. Sir, it is an epitome of the corruption of American journalism. It shows the extent and the depth to which libelous, corrupt newspapers will go in order to lash public men into following their arrogant dictation. Sir, when I can bring myself, as humble as I am, to take one line of action or one inspiration of thought from the libelous and slanderous journals that are now attempting to hound this country on to war, I hope that moment will be my last.

Mr. President, I differ, and I differ honestly, with the Committee on Foreign Relations in the view which it has taken of this matter. The joint resolution which it has reported is a declaration of war. Whatever action I favor, and I do favor intervention, is predicated upon it as a humane movement which may result in war, but which is justified under international law. If war comes of it, our hands are clean. If war does not come of it, then, conjointly with Spain and the insurgents, we will relieve Cuba of the terrible suffering and destitution and misery and death which now prevail there.

Intervention by a friendly power to put an end to hostilities that have culminated into barbarous cruelties, inhuman slaughter, more inhuman starvation, and universal ruin, waste, and destruction is justified by that code which prescribes the rule of conduct among civilized nations. Nearness to the scene of conflict is a controlling factor in prompting the intervention. Being justified by principle and practice among the nations, it can not be construed, necessarily, into an act of war. While nonintervention is the rule, intervention in such a case as that of Cuba forms a just exception. Spain has not been able to pacify the island nor subdue the insurgents. The work of death and destruction goes on with a fearfully increasing progress. Humanity stands aghast at the awful spectacle, and the President, following its noble dictates and sustained by the law of nations, which is likewise God's, asks of us the power to intervene to arrest carnage and death. I, Mr. President, stand ready to grant it.

Sir, the conflict in Cuba is but the culmination of a series of revolutions commencing fifty years ago. Last night the Senator from Texas [Mr. CHILTON] alluded to the insurrection headed by Lopez, in which the gallant Kentuckian, Crittenden, lost his life. The recollections of my earliest boyhood are associated with that insurrection, for from my native town went one of the most gallant men that God ever created and was slaughtered on Cuban soil for what he thought was Cuban liberty. From the expedition of Lopez till to-day there have been insurrections after insurrections to meet the same untimely fate, the same crushing disaster, as that of Lopez.

In vain has autonomy been offered by Spain. It has been rejected by the insurgents. In vain has an armistice been offered by Spain. It has likewise been rejected by the insurgents.

The fighting still goes on, and it must cease.

But the present revolution assumes a proportion and a scope of destructive power greater than any of the preceding ones. Its inevitable result is to make Cuba a charnel house of destruction and death. From the topographical condition of that country, from the character of the people who inhabit it, descended as they are from the Spaniards, a guerrilla war is the only war they would naturally fight. From the time that the Saracens invaded Spain and defeated the Spaniards at Gibraltar until the last Moor was driven out eight hundred years after there was a constant guerrilla hand-to-hand fight between the Spaniard and the Moor.

The guerrilla instinct has been inherited by all of Spanish blood from centuries of strife, and we see it developed in Cuba to the most extensive proportions. A handful of insurgents occupying the interior of the island bid defiance to the trained soldiery of Spain. The island is about 750 miles long and about 50 miles wide. It has a population of 1,600,000 people. The interior is occupied by mountains. The habitations are mostly upon the seaboard. The insurgents retire to the mountain fastnesses and from there they swoop down upon the Spanish soldiery.

Sir, it is manifest from the history of this revolution, the inability of 200,000 armed and equipped and disciplined Spanish troops to put down 30,000 insurgents, that the power of Spain is slowly dying in that island. It is manifest that the loss of her sovereignty is but a question of time. But it does not result, even if that island is a desert, that the roving bands of insurgents without a government of law, without the forces of a civilized government, are therefore a state; and we are called upon in the amendment to the resolution to recognize a state. What is recognition? It is merely certifying to the existence of a fact. It is perceiving the identity of some status and so declaring. You can not make it by words. You can not recognize a state which has no existence, and all the power of the great Congress of the United States can not create the smallest state in Christendom by statute or declaration.

Mr. President, how do civilized countries wage war or how do they recognize the existence of war? They wage war by state against state. It is not every individual of every state who is at war with every other individual of the opposing hostile state. Noncombatants are safe. That is one of the blessings—an unalloyed, a grand blessing—that the international code has bestowed upon civilization. In ancient times during war every man's hand was against his adversary. The Romans butchered and murdered

and killed or enslaved every man whose state was hostile to Rome, whether with arms or whether without. The murder of prisoners was common. But modern civilization has erected another standard. War is carried on by state against state and with regularly drilled and equipped armies. It has become a science. It is the science of death, but still it is a science. It is not a pellmell, hurly-burly fight. So, therefore, when you recognize belligerency you must recognize a war which is carried on under the code of civilized nations.

It is immaterial to inquire, as to the existence of belligerency, whether the power of recognizing it belongs to the Executive or to the legislative branch of Government, or to both conjoined; but when you recognize belligerency you must perceive, identify, point out something which civilization calls, in the language of President Grant, the terrible and awful dignity of war; not roving, undisciplined bands, not men fighting here to-day and there to-morrow over a vast expanse of territory, which they do not hold permanently, or substantially so, but you must find an army. Is there such an army in Cuba as comes up to the requirements of the modern definition of "war?" Do you find such a government as comes up to the modern definition of a "government?" Has it exclusive power within any certain area of territory? Has it courts, and does it administer justice? All these questions must be answered in the affirmative, and answered not upon inference, not upon loose, disjointed facts, not upon a paper constitution and paper schoolhouses and levies of blackmail called taxes, but you must have your established government, your equipped institutions capable of exercising all the functions of civil government, and regular armies, carrying on war under civilized methods, and then you have belligerence.

Belligerence is nothing more, upon an investigation of the authorities, which I do not care to read to any extent, than temporary statehood. When statehood becomes permanent, then you recognize the State. When it is only temporary and there is a doubt of its permanence, as in the case of Texas when General Jackson forbore to recognize the independence of that State until such time as there would be no danger of Mexican subjugation, you recognize belligerence. The only marked essential distinction is as between a permanent and temporary statehood. With whom will this great Government deal in the matter of belligerence? It must be with some political entity that has the muniments of a state, something that is covered by statehood indicia, something that there can be no mistake about upon the part of the recognizing power. That is belligerence. It is not necessary that these requirements be of a permanent character. Temporary possession of them authorizes the recognition of belligerence.

Mr. President, at the expense of thrashing over some of the old straw perhaps, I will quote certain definitions of statehood, in order to see whether or not we can recognize the independence or belligerence of the insurgents under Maximo Gomez or anybody else.

Mr. Wheaton, page 33, in his definition of a state, says:

A state is also distinguishable from an unsettled horde of wandering savages not yet formed into a civil society. The legal idea of a state necessarily implies that of the habitual obedience of its members to those persons in whom the superiority is vested and of a fixed abode and definite territory belonging to the people by whom it is occupied.

I will read another one of them, and ask that the other definitions which I have may be inserted in my remarks in the RECORD. Woolsey, section 36, says:

A state is a community of persons living within certain limits of territory under a permanent organization, which aims to secure the prevalence of justice by self-imposed law.

Then I refer to Hall, section 1:

The marks of an independent state are that the community constituting it is permanently established for a political end, that it possesses a defined territory, and that it is independent of external control.

Now, in regard to the proposition which I have advanced, that belligerence is temporary statehood, I cite Hall, section 5, page 34:

It is no doubt incumbent upon a state to treat subjects who may have succeeded in establishing a temporary independence as belligerents and not as criminals, and if it is incumbent upon the state itself, it is still more so upon foreign governments, who deal only with external facts and who have no right to pass judgment upon the value, from a moral or a municipally legal point of view, of political occurrences taking place within other countries.

There is the recognition of the proposition as to belligerence which I advanced, as drawn from the definition of statehood itself. I think it needs no further corroboration. It is self-evident to my mind.

We are called upon to vote for that which will stultify us. We are called upon to acknowledge in our legislative capacity and as having jurisdiction over the matter that which does not exist; and, sir, if it exists at all, where is the scope of its influence; where is the extent of its existence? It is said that Havana is held by the Spaniards. There are 250,000 inhabitants of that island in the one city of Havana. A majority of the population of the island is in the cities on the seaboard, not a single one of which is held by the insurgents. Now, if independence is recognized, how can the recognition cover any other than the territory occupied exclusively by the insurgents? Who has informed us where that territory is? Who could possibly define its limits and give it a local habitation? What skillful guide could conduct an American minister to the mountain capital of Gomez? It has been admitted that twice that fancied capital has been changed, but that would amount to little if there had ever been one.

Every President from Grant to McKinley, having cognizance of all the facts surrounding the case, has refused to recognize the independence of Cuba or its belligerence; and, sir, they had sympathy—not mock sympathy, but real American sympathy—for real patriots struggling for real liberty. Were they unsympathetic with the struggle for human liberty? No, sir; and if there is one argument of a practical character stronger than another to convince me of the absolute intility of the power of recognition belonging to the legislative branch, it is our inability to get the information upon which that decision must be founded. With all the evidence upon which belligerency can be based in the possession of the President, who but him can ascertain its existence?

Mr. MASON. Mr. President—

The PRESIDING OFFICER (Mr. JONES of Arkansas in the chair). Does the Senator from Louisiana yield to the Senator from Illinois?

Mr. CAFFERY. I decline to be interrupted now.

Mr. MASON. Very well.

Mr. CAFFERY. Here we are, sir, meditating now this question of war between Spain and the United States. Here is the

report of the Committee on Foreign Relations, a volume of 600 pages, purporting to be the evidence and papers concerning the existing relations between Spain and the United States, and we have had three days to examine it in the midst of this exciting and absorbing debate, when we sit from 10 a. m. to late in the evening. I have not read that book. I have not had the time; and I am called on here, in this acute spasm of public indignation and wrath against the atrocities committed in Cuba, to decide upon this great question of war.

The Executive is charged, and charged solely, and charged exclusively, with the power of recognition. I have heard Senators say that because the Senate could make a commercial treaty or could make any other treaty, therefore there was a concurrent power and jurisdiction between the legislative branch and the executive branch in regard to recognition. It is not so, sir. Before you negotiate your treaty you must recognize the credentials of the representatives of powers with whom you deal, and who does that but the President? His recognition is all-sufficient and all-conclusive as to the existence of states when he recognizes their ministry as clothed with power to transact the treaty. It springs from the power to appoint and receive ministers and ambassadors. That gives a wide and exclusive operation for the executive exercise of authority in the premises.

The Executive is clothed with entire jurisdiction over our external affairs so far as diplomacy goes. Is there a man in the Senate who does not know that it largely rests within the discretion of a President whether to precipitate a war or not by acts or correspondence entirely under his control? He has charge of all the diplomatic negotiations looking to laying the foundation, both in deed and in word, for a state of affairs that may necessarily lead to war; and when we declare war, we do nothing more than act upon the findings of the Executive.

Mr. President, there can be no recognition of belligerency or independence in Cuba that will hold water under the canons of international law. We will stultify ourselves, we will violate the international law, if we do so. That law appears to be scoffed at, sneered at, as nonexistent. No civilized nation on the globe can dare fly in the face of the enlightened conscience of mankind. That law has for its sanction the rebuke of the nations of the world, and unless we want to be outlawed, unless we want to be outside of the pale of the family of nations, we can not knowingly and flagrantly violate any of the articles of the code that governs the conduct of nations toward each other.

The question of belligerency and the question of recognition have been so fully argued that I will simply content myself with the statement I have made of the general principles that I think bear upon the question.

I desire to take up the proposition advanced by the Senator from Ohio [Mr. FORAKER] in this connection. He stated that if we did recognize the independence of Cuba, and if there were anything lacking, if there were a missing link, we could make that up afterwards. In other words, that we could make independence and then recognize it.

You can not make a status of independence for another. You can only make your own. You may be an ally of another, but if you go outside of the confines of your own territory and dip into the affairs of another state and recognize that which does not exist, and set to work to make what you want to recognize, you

have violated the international compact that binds states and civilized government. It does not make any difference in the case of Cuba whether the quotations that the Senator makes from President McKinley's message apply or not. If the sovereignty of Spain has ceased, it does not necessarily follow that the sovereignty of the insurgents rises and comes into existence.

We can only deal with the present state of facts. We can not predicate action on a contingent condition which, though likely, is not certain to happen. It would unsettle the relations of the world were the doctrine to obtain that, because a state may and of right ought to become independent, therefore we will proceed to recognize something nonexistent, and proceed by our aid to create the future existence of what we presently do not know to exist, or know not to exist.

Independence can not be made any other way by the people of Cuba than by clothing themselves with the muniments of statehood, and if they have not got them it makes no difference whether there is a Spaniard there or not. It may be that after the Spaniards leave the island the Cubans will proceed to get together after a while, with aid from the United States, and build up something that we can call a state, but before that happens we can not recognize it.

Mr. President, my deliberate opinion is that we stultify ourselves in voting for independence, and that the President of the United States would be bound to veto the resolution if we adopted it.

To show that the insurgents are as much to blame for the condition of affairs as the Spaniards, I will read some reports of our consuls laid before us on the 11th instant. I will turn over and read some of their reports and we will see the condition of affairs there. I have not time to read many of them. Here is a communication from Mr. Hyatt to Mr. Day of the 31st of January last. I will read only the last part of it, and ask that the whole of it be incorporated in my remarks.

Mr. Hyatt to Mr. Day.

No. 427.]

CONSULATE OF THE UNITED STATES,

Santiago de Cuba, January 31, 1893.

SIR: I desire to inform the honorable Department of State that Captain-General Blanco arrived at this port on Friday night, the 28th instant, but remained on shipboard until the next morning.

The consular corps called soon after his arrival. Most of General Blanco's remarks were directed to the French and American consuls.

Colonel Marsh, of General Blanco's staff, called upon and dined with me the same evening. He speaks fairly good English, and is a gentleman of rare social qualities. On leaving he said, "I shall be at all times most happy to use whatever influence I may have with General Blanco in securing a favorable resolution of any matters that you may desire to present to him."

I told him I was prepared to take advantage of his offer at once, as there had just arrived at the custom-house in this place a quantity of quinine which the collector of customs said he could not deliver duty free without instructions from Havana. The colonel promised to lay the matter at once before the Captain-General, and the quinine is released, and, as I understand, it is ordered that all future shipments are to be promptly delivered to me, if any shall come.

On Sunday morning the regular passenger train on the Sabanilla and Maroto Railroad, when 5 miles out of Santiago, was blown up by dynamite bombs, exploded by electric wires; two cars were shivered in atoms. Five passengers were killed outright and twenty-two badly wounded, some of whom have since died. It is thought by some that the insurgents believed that Captain-General Blanco was on the train; by others that they merely wanted to notify the general that they were around and attending to business.

I am, etc.,

PULASKI F. HYATT,
United States Consul.

Here is another extract showing how war is carried on in that island, the sort of highly civilized soldiers that we are to recognize, and the highly civilized conduct by which warfare is carried on. It is a letter from Mr. Hyatt again, and no one who reads these reports can accuse Mr. Hyatt of any partiality to the Spaniards. All his sympathies are with the insurgents. I read this to show how they treat autonomy:

Mr. Hyatt to Mr. Day.

No. 423.]

CONSULATE OF THE UNITED STATES,
Santiago de Cuba, February 1, 1898.

SIR: The military conditions here upon the surface are not materially changed, but to one who watches the signs of the times and knows the character of the men who act the drama the situation is not without portent.

The era of good feeling is passing away, while bitter words and cruel acts are again coming to the front. Those engaged in works of mercy are denounced for keeping alive a tribe that ought to be dead. But it can not be said there is no excuse for harsh judgment. The stoppage of all agricultural pursuits and the blowing up of cars containing innocent people can not be justified even under the guise of war. Extremists of both sides seem able to dominate the sentiments of their respective parties, while a deep feeling of personal hatred pervades their breasts.

General Blanco's mild and humane policy meets with but a feeble response from his own followers, while the insurgents laugh at the old man who throws sods and grass instead of stones.

Autonomy is already a dead issue, while buying insurgent leaders thus far is not a marked success, the insurgent generals having already imprisoned several officers suspected of venality.

Colonel Marsh, of General Blanco's staff, said recently:

"Spain fails to comprehend that Cuba has, as it were, two mothers—a political one, which is Spain; a commercial one, which is the United States; and the political mother fails to see that the commercial mother has any rights, while the commercial mother can not shake off her responsibility, for God has made them next-door neighbors."

I do not believe that the Western Continent has ever witnessed death by starvation equal to that which now exists in eastern Cuba.

Very respectfully, etc.,

PULASKI F. HYATT,
United States Consul.

There is where the insurgents are blowing up passenger trains and killing passengers, private individuals, and where the consul states that autonomy is dead. I will read another extract from Mr. Hyatt to Mr. Day. Let us see how they treat Americans over there. I read from No. 421, and ask that the whole letter be incorporated in my remarks:

Mr. Hyatt to Mr. Day.

No. 421.]

CONSULATE OF THE UNITED STATES,
Santiago de Cuba, January 12, 1898.

SIR: I deem it a duty to lay before the honorable Department of State the situation here as affecting American interests, and to inclose herewith an order issued by command of Gen. Maximo Gomez, and a translation of the same, forbidding the grinding of the sugar crop for the years 1897 and 1898. In this part of Cuba, so far as I can learn, all idea of making a sugar crop is entirely abandoned.

I regret to say that the stoppage of industries, from present appearances, will not halt at the sugar crop, but coffee and other agricultural crops fall under the same ban.

I had hoped that after the reconcentration order was revoked, through the energetic action of the present administration, we would find no trouble in reinstating American industries; but it appears that all of the benefits that should have accrued to our citizens are thwarted by the action of the insurgents, who refuse to allow them to return to their sugar, coffee, and other estates. The Pompo manganese mines, owned by Americans, would at the present time be a very profitable investment if allowed to operate, are also being held up by the same power.

The three Revery brothers, who I informed you recently I was about to assist in returning to their coffee and fruit estates, got there only to find they could not go to work until permission was obtained from the insurgent commander, which permission seems doubtful, I myself, as I understand my duty, being inhibited from rendering them any assistance at this point.

These, with several sugar estates within my consular district, are held up and becoming more worthless than before.

It is beyond the power of my pen to describe the situation in eastern Cuba. Squalidity, starvation, sickness, and death meets one in all places. Beggars throng our doors and stop us on the streets. The dead in large numbers remain over from day to day in the cemeteries unburied.

Very respectfully,

PULASKI F. HYATT,
United States Consul.

I have one or two more here. Here is one on page 33 that I will incorporate, the order of Calixto Garcia, who appears to be the insurgents' commander, ordering that any one who offered autonomy should be shot.

[Inclosure in No. 405.]

MILITARY DEPARTMENT OF THE EAST,
GENERAL HEADQUARTERS,
Baire, November 6, 1897. (Third of Independence.)

To the commanding generals of the first, second, and third army corps of eastern Cuba:

Duly informed through the press that the Spanish Government is offering autonomy with the intention by these means to subdue the revolution, or at least to bring about disturbances in our ranks and weaken our cause, this general headquarters reminds you that the spirit and letter of our constitution does not admit with Spain any treaty whatever that is not based upon the absolute independence of Cuba.

In accordance with this I will be inexorable, submitting to a summary trial and will consider as traitors all civil or military officers of whatever rank who receive messages, commissions, or have any intercourse with the enemy, as the supreme government of the republic is the only one authorized, and listen to any overtures that may be made, and even the government will only listen to proposals acknowledging the absolute independence of Cuba by the Spanish Government. All persons who come within our lines commissioned by the enemy with proposals to submit to Spain will be tried and punished as spies.

In order to avoid any ignorance being professed on this subject, you will circulate this communication among your subordinates, posting this order during eight days at your headquarters and have it read in the presence of the troops.

Country and liberty.

CALIXTO GARCIA.

Commander in Chief of the Department of the East.

(Baire is a small village lying about 54 miles from the city of Santiago.)

Then, again, on page 34, I will read the letter of Mr. Hyatt to Mr. Day, No. 410:

Mr. Hyatt to Mr. Day.

No. 410.]

CONSULATE OF THE UNITED STATES,
Santiago de Cuba, December 5, 1897.

SIR: The situation in this part of Cuba is not destitute of activity; nevertheless, it seems to be one of expectancy, both sides posing and waiting to see what will happen in the United States.

There is a more secure feeling since the arrival of Governor-General Blanco; otherwise no perceptible change. The reconcentration order is relaxed, but not removed; but many people have reached a point where it is a matter of entire indifference to them whether it is removed or not, for they have lost all interest in the problem of existence.

A census of the island taken to-day, as compared with one taken three years ago, I feel confident would show that two-thirds of the residents are missing; and the Spanish army would make no better showing.

The rainy season is practically over, and cooler weather is apparent, the thermometer ranging from 70° to 88° F. through the twenty-four hours, in the shade.

His Excellency Enrique Capriles, a former governor of this province, has returned to this post of duty. His former record is a sufficient guaranty of of an honorable administration.

Mr. Rigney, an American sugar planter near Manzanillo, was preparing to grind during the coming season. A few nights since the insurgents fired seven cannon shots among his buildings, one ball passing through the roof of his house. Americans were hopeful that they would be allowed to make their crop, and several are making ready to do so; but the action of the insurgents

toward Mr. Rigney gives the problem a doubtful aspect. It may have been a personal matter against Mr. Rigney.

The number of destitute Americans fed by this consulate decreased from 89 to 64, but is again on the increase. Since being fed, sickness among them has materially decreased and their appearance has greatly improved.

* * * * *
Very respectfully,

* * * * *
PULASKI F. HYATT,
United States Consul.

I will not read any more, but I will ask that the next one, No. 413, on page 85, be incorporated to show that the order of reconcentration was practically wiped out at the date of this letter, December 14, 1897.

The letter is as follows:

Mr. Hyatt to Mr. Day.

No. 413.]

CONSULATE OF THE UNITED STATES,
Santiago de Cuba, December 14, 1897.

SIR: Since my last dispatch on the situation in Cuba several military engagements of more or less importance have occurred, and the insurgents are claiming to have had the best in the fight; but until an engagement shall take place of sufficient importance to have a controlling influence, I can safely leave the press to report on such matters.

I take it to be a matter of far greater importance that I shall watch the trend of public opinion and its effects on the political situation, for thus far battles have not been the most important factors in the Cuban problem.

Up to the present we have only garbled accounts as to the contents of the President's message, so it is too early to say what its effects will be. I shall, however, watch such results with much concern, as all parties have looked forward to it with deepest solicitation.

The order of reconcentration is now practically wiped out, and so far as the Spanish Government is concerned, men go about nearly as they please. The insurgents and their sympathizers will unquestionably take advantage of the revocation to get from the towns and cities what they need, and otherwise strengthen their cause.

The effect on agricultural pursuits will be disappointing, because the great majority of those who would or should take up the work joined the insurgent forces when compelled to leave their homes, and the portion which came within the lines of reconcentration are women, children, old and sickly people, most of whom seem to have little interest in the problem of life. * * * There is no one to take these people back to the fields and utilize their remaining strength. Their houses are destroyed, their fields are overgrown with weeds, they have no seed to plant, and if they had, they can not live sixty or eighty days until the crop matures, which, when grown, would more than likely be taken by one or the other of the contending parties.

Many of those who are attached to their families have them within the insurgent lines.

* * * * *
Finally, I give it as my opinion, an opinion that I am sure is not biased in favor of Cuba, that Spain will be compelled to prosecute a far more vigorous war than has yet been done if she conquers peace in Cuba. I think I speak advisedly when I say that in this end of the island, at least, there are many thousand square miles where the foot of the Spanish soldier has never trod. Within this zone the insurgents have their families, corral their horses and cattle, and raise their crops. They reach the outside world by methods of their own.

Why Spain, with a large body of as obedient and brave soldiers as ever shouldered a gun, has not penetrated these grounds and scattered to the four winds the comparatively small body of men who are there is a question I will not attempt to answer.

As I write a man is dying on the street in front of my door, the third in a comparatively short time.

Very respectfully,

* * * * *
PULASKI F. HYATT,
United States Consul.

Mr. CAFFERY. Mr. President, not only from these consular reports, but from the statements in General Grant's first message and the statements of every President who has written of Cuba since, have the wars between the insurgents and the Spanish Government been characterized, on either side, as of excessive atrocity, of unexampled fierceness, and of complete devastation and ruin to the country. It has been shown that the combatants on either side are guilty of excesses. The war first started with the firing of

the cane fields in eastern Cuba. When Weyler, for whom I have no words but those of condemnation, saw that the insurgents were destroying the power of the sugar planters and others to make a living and pay taxes to the Spanish Government, he ordered the reconcentration of the pacificos, thought to be friendly to the insurgents. So between these two atrocious policies of destruction that island is a desert and a waste.

Both sides are responsible for it; the insurgents as well as the Spaniards. They are the same sort of people. There is no difference between them in respect to cruelty and a talent for destruction. They are mostly all of Spanish blood. They inherit all the virtues and all the vices of their parentage. They have shown as much cruelty in warfare, as much wanton waste and destruction of property, as the Spaniards themselves.

General Grant mentions in one of his messages the fearful tragedy of the murder by the insurgents of 600 Spanish prisoners at one swoop. It may or may not have been retaliation; but there was and is a war of absolute extermination going on there. That is the reason, and the only reason, why we can intervene. The only basis upon which you can put intervention, outside of the right of self-defense, is on the humane basis. That is a real, legal basis. It is a basis that is acknowledged by the humane code that governs the conduct of nations. It is a fearful responsibility for a state to undertake to judge of the circumstances that authorize an intervention for humane purposes.

The ground must be clear of doubt; the facts must be known with certainty. No mere sympathy for a people struggling for freedom is a proper or legal basis.

We seek no gain; we seek no conquest. If, to gain ends of peace, we must use the agency of war, the responsibility does not rest with us. We must discharge, in the face of difficulties both present and others looming up in the future, a solemn duty to humanity and to civilization.

The probability of some reconcentrados dying by reason of our intervention may come to pass, but it is better that some should die than all. It is better to save some than that all should perish.

But, sir, the exigency is on us. Impelled by the highest motive that can animate a nation, we are compelled to intervene; and for what? To stop a war of extermination and devastation; nothing more. If in order to restore peace, and permanently secure it, we may have to go farther and establish a government, we do that as incidental to the power to intervene—in order to carry out the beneficent purposes of the intervention.

Sir, that embarrassments and difficulties may grow out of this none will deny, but we can not foresee what the future may bring forth in the incidental duties that may devolve upon us. I regret that the hand of the President has been forced by the clamor for war. He and his predecessor have declared that affairs might get so bad as to compel the United States to intervene, and the time is at hand now to do so.

That is the basis upon which we can rest and defy civilization to point out one single flaw in our procedure. It is not only a right, but in our case it is a duty, a high Christian, civilized duty. It is useless to talk as to whether or not autonomy has been offered. It has been offered, but it has been rejected. The bearer of a flag of truce was murdered in cold blood who tendered on behalf of Spain the offer of autonomy and self-government to the islanders. There is an order in the consular reports from which

I have read showing that it is death to speak of autonomy to an insurgent.

Sir, what kind of a cause is that? Even a whisper of peace is met by the murderous machete. Is that the sort of a republic that we want to unduly launch upon the civilized world, created by our breath, where the bearer of a flag of truce and the conveyor of a message of peace has to be murdered?

Sir, we are justified under the international law and in the Christian conscience of civilization for intervention. It is said we have to recognize what does not exist in order to make that intervention good. Sir, we will then start with a fraud. We will start by passing a spurious counterfeit statehood upon the world. That is a start that the United States deliberately proposes to make in this contemplated proceeding. We can not do it and maintain our self-respect as one of the self-respecting nations of the globe. You can not make states like you make paper money. You can not make states like you enact a statute. They are something to be made by and on behalf of the people who reside in them, and no outsider can by statute make them. Any demand, therefore, for us to acknowledge the existence of a fraud, the existence of a counterfeit, ought to be spurned out of this Chamber.

Sir, the war feeling must be strong that would carry our people to the length of recognizing a falsehood and perpetrating a wrong and launching upon international life a counterfeit state, which would inevitably lead to war.

And whose war would it be, Mr. President? Ours? Is there a foot of American soil that has been invaded by the hostile tread of the invader? Is there a single citizen of the United States deprived of his life or liberty anywhere in the civilized world for which we ought to take up arms? Whose fight is it that we are plunging into? Not our fight. It is a fight between certain insurrectionary persons in the Island of Cuba and the Spanish Crown, and under ordinary circumstances we have nothing to do with it.

Sir, if there was one single legitimate cause of war to unite this people, 1,000,000 swords would leap from their scabbards to defend the honor and the power and the reputation of the United States without debating the question an instant. Why do we talk here? Because this resolution involves the consideration of a momentous question affecting the good name and the reputation of the United States. It affects us very nearly, very closely. It affects us in our judgment and in our conscience.

Sir, this is not a question to be decided by passionate appeal. This is not a question to be submitted to the arts of rhetoric. This question can not be decided by vilification of Spain; nor, sir, ought it to be decided with any reference to any small, political, contemptible, partisan advantage.

Sir, this country appears to be swept from its feet by a perfect cyclone of passion. Men of ordinary judgment appear to be lost in amazement when they contemplate the extent to which mixed sympathy and passion are driving us.

Sir, men get up here in this Chamber and tell us it is no time to talk, but to act. Act how? Are we going to act foolishly? Are we going to act without cause? Are we going to plunge these 70,000,000 people into the horrors of war? We are told to act, to turn loose the dogs of war and let them dip their bloody tongues in human gore. That is the cry heard everywhere. Any temperate counsel is spurned, and a man of moderation is talked of as

I have been talked of in the editorial that I have placed upon the records this morning.

Mr. President, I will lay down my position thus: The United States of America, moved and inspired by the highest considerations of humanity and duty, do hereby declare that the war between Spain and her insurgent colony shall cease. This is the language, the noble language, of President McKinley. And that in order to make that declaration good he shall intervene there with all the power of this great Republic, and then and there, if necessary, establish such a government as will secure permanent peace. Whether Spain likes it or whether Spain does not, we have gone too far to consider.

It is idle, sir, to refer to all the concomitant and conspiring circumstances and incidents that tend to the terrible conclusion of war. This ground of pure, unalloyed humanity is sufficient for any Senator in this Chamber to stand on. It is an aggravation of it to bring in the finding in regard to the *Maine*. That is an aggravating cause, but no man can say that it is a controlling cause.

Why, sir, have we gone insane? Here is a board of inquiry constituted out of our own officers. Their finding is thrown to the winds. Another hearing is taken by a body of civilians and they find suspicion of foul play by Spain, which an able court of inquiry did not entertain or did not put down in their report.

Ah, sir, I commend that report of the naval court of inquiry and Captain Sigsbee's telegram preceding that report. It ought to have given the tone to the American conduct and to the American action in regard to this whole question between the United States and Spain. "Suspend your judgment," says that most admirable officer, suspend your judgment; do not go off too quick; do not lose your heads; we will investigate; we will try to find out how this occurred, and when it is found out, we will say so. In the meantime "suspend your judgment."

An admirable, excellent, noble telegram, and at the time that it was written calculated to allay what he must have known were the high-wrought feelings of a great-hearted people struck almost dumb at the news of the terrible catastrophe. Instead of following that example, every art of rhetoric, every device of the demagogue, is resorted to to help plunge this country into a precipitate war.

Sir, I do not contemplate an honorable war, a just war, with any other feeling than one of sorrow, but I do contemplate a war waged between the United States and another power without a just ground as the most fearful curse that could fall upon the devoted heads of our good, honest, patriotic citizens.

Sir, as showing the rash and ill-considered war clamor, the finding of the Navy board of inquiry and the action and stand of the President are set aside, and the incident of the *Maine* is taken as the firm ground of battle.

Our own court has found no *casus belli*. Our own President has founded no case on that incident.

No impartial man can find a case on what, though terrible and shocking, sending a thrill of horror throughout the globe, has not been traced to Spain or Spain's act. Until Spain's complicity is established her liability to war does not arise.

Mr. President, I had intended to elaborate the questions in this case at much greater length. I will only now state some conclusions that I think may flow from intervention.

I have no hesitancy in saying that the condition of affairs in

Cuba may be such after intervention as to require other than a cast-iron line of procedure. We are but little acquainted with that people and their conditions. The honorable Senator from Vermont [Mr. PROCTOR] has given the clearest, the most succinct, and the most comprehensive statement that I have heard on the subject, and he does not satisfy me entirely. He could not have known the insurgents, the body of whom are to constitute the electorate. He did not see them; he was in the city of Havana mostly, and necessarily got his information secondhand.

Mr. HOAR and Mr. GRAY. Nor did he speak Spanish.

Mr. CAFFERY. Well, that is another drawback; but whether he spoke Spanish or not, he was not in the field, where he could discover precisely what kind of a government that people require. That ultimately some kind of a government of the people will be established there is without question; but, Mr. President, that is a most delicate operation, involving a practical acquaintance with the local conditions, involving a knowledge of who ought and who ought not to belong to the electorate, involving, in short, a complete inquiry as to the social and political conditions of that island.

Does not everybody know that after this war—you may say it is the culmination of the war of 1863—has lasted now thirteen years, with a break of seventeen years, the feelings of bitterness and hatred that have been engendered between the contestants must require of whoever goes in there to establish a government most cautious, most wise action?

The honorable Senator from Mississippi [Mr. MONEY] in a speech delivered in this body said that the insurgents had four centuries of wrongs to resent and injuries to avenge, and that the *lex talionis* would be applied. If that be so, Mr. President, is it not incumbent upon us to give the President of the United States the widest latitude of operation, the widest discretion? It seems to me so. It seems to me that the House resolution must be modified in some particulars so as to give him a full and plenary jurisdiction on the lines that he asks for in his message.

I must say, sir, that that message commends itself to me, to the world, to civilization, as one of the most sagacious, wise, humane, and statesmanlike documents that ever came from a civilized ruler. It will be a memorial hereafter to the wisdom and patience and patriotism of President McKinley. It will show, when the proper occasion arises, the man whom the American electorate selects for the Presidency will always rise up to its height, however high it may be, and the greater the occasion the greater his patriotism.

Mr. President, one thought more, and I will take my seat. I have no doubt in my own mind that in the future the Island of Cuba will be ours. I do not say that we ought, in a spirit of aggression or greed for additional territory, to take any steps to bring about that result; but I do say that the finger of destiny itself points to it. It is not in the condition of the Hawaiian Islands or some insignificant point in the Pacific or the Atlantic. It is necessary to round up, as Mr. Jefferson said in an early day, the full possessions of the American Republic. No man can sail past the Florida Keys into the Gulf of Mexico who does not see the vast importance of that island to the American Republic. It is a part, and an essential part, of the Monroe doctrine that that island shall belong to no other foreign country than Spain.

What is the significance of that doctrine, Mr. President? Some



time in the course of events Spain will have to let go that island. Spain is poor. She is vexed with dynastic trouble. Her resources can not much longer stand the drain of keeping up a struggle in which the chances of success are desperate. There will be an independent government in Cuba, even if we, the United States keep hands off now. Then Americans will flock there. They will finally get control of the government. Revolutions will, no doubt, break out at intervals, as they have in every Spanish-American country, but constant accessions of Americans will gradually cement their strength and importance. Loyalty to the Stars and Stripes will compel the erection of our national ensign as the governing flag in Cuba. I do not say, Mr. President, that I desire to see Cuba a State in the American Union. Certainly not until after a long tutelage of the population under Federal guardianship. That tutelage will be found necessary to fit the mass of the inhabitants there for the duties of citizenship as we understand them. But the destiny of Cuba is to be a part of a Republic to which, by situation and interests, she is and will be so closely bound.

With its nearness to this great Republic, right under the shadow of our institutions and influence, with the commercial intercourse between us and Cuba so large and constantly increasing, it is the part of wisdom to forecast the time when the lone star of the Cuban banner will glitter in the constellation on the blue field of our own star-spangled banner. But, ah, sir, that is not what the insurgents want now. They want independence. They have had the United States fighting their battles all the way along. The Cuban junta has directed operations from the city of New York. It does not stand them in hand to say that they have not sold or issued over a hundred thousand dollars of bonds. It is manifest that nobody will take them until the independence of that island is recognized; and to this end, they have bent every energy to force recognition by the United States.

Now, sir, when they get their independence, what then? Their bonds will, I am told, go to 40 cents in the dollar. They want, perhaps, to take the plantations that belong to the Spaniards as security for them. The Spaniards own nearly all the property. That appears to be the fact from the representations of the consuls. There are in Cuba about 300,000 Spaniards: there are about 800,000 Cubans; there are about 500,000 colored. That 800,000 will probably dominate the balance of the population, possibly tolerating the colored, until such time as they can be set aside. Such a heterogeneous population, animated by the hatreds of war, liable to clash from racial differences, naturally leads to revolution. A government recognized to-day may be extinct to-morrow, until finally the result of which I have spoken will come to pass—the incorporation of the island into the territory of this Republic.

Mr. President, I will leave the subject at this point. I have endeavored to look at this question as calmly and as dispassionately as I could. Whether or not I have struck the right line is for others to say. But whatever conclusion I have arrived at has at least been one attained after much reflection and after the best judgment I could give to the question.